

# ASSEMBLY BILL 1982

## KIN-GAP SERVICES FOR PROBATION YOUTH

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### ISSUE

One of the goals of the Juvenile Justice System is to ensure that all youth reside in a permanent, supportive, and safe home. When this goal cannot be met in a parent's home placement with a relative provides stability and enhances family preservation.

Despite recent mandates requiring that both the dependency and delinquency systems develop permanency and emancipation plans for children who no longer require formal court supervision or services youth in the delinquency system and their families do not have access to the same services and support as youth in the dependency system. In particular, the Kinship Guardianship Assistance Program (Kin-Gap) is only available to children served by the dependency system. All Foster Youth are the responsibility of the state irrespective of which door they come through and these services are vital to the future success of these youth lives.

When a young person has successfully completed the terms of his or her probation the expected and appropriate next step is that court case is closed and the child is no longer supervised by the Probation Department. For children whose stability and likelihood of ongoing success at school, at home and in the community depends on continued placement with extended family this option is often not available. Probation youth housed with relatives who are typically low-income depend on the benefits they receive while in the foster care system. Without access to Kin-GAP, a number of probation youth unnecessarily remain in the system because of the families' dire need for assistance. Keeping cases open solely to provide financial assistance further taxes our already overburdened court and probation systems and further stigmatizes children trying to turn their lives around. Keeping children on probation when it is no longer necessary is not in their best interest or in society's best interest.

### EXISTING LAW

Currently, Kinship Guardian Assistance Program applies only to children who have legal guardianship established with a relative by the juvenile court **dependency** court. Welfare and Institutions Code 11363.

### SUMMARY

AB 1982 seeks to give youth in the care of relatives within the delinquency system a way to exit the formalized system without disrupting the child's existing placement with extended family, thereby assuring ongoing adult support and supervision.

### BACKGROUND

- Kinship Guardianship Assistance Program (Kin-GAP) is a program for children under the jurisdiction of the juvenile court who have been placed in the home of a relative. The purpose of this program is to increase the number of children that can exit the foster care system and enter into a permanent and supportive placement with family.
- The latest complete data reported for 2002 to the federal Adoption and Foster Care Analysis and Reporting System (AFCARS) show that 24% of all adoptions of children from foster care were by relatives.
- As of January 2003 of all children placed out of home in California 35% were housed by kin.
- Kin-GAP grants legal guardianship, eliminates the need for government intervention, and supports permanent and stable placements with family that youth need and deserve. California's kinship youth represent 43% of the foster care caseload.
- Children exiting to Kin-GAP are relatively unlikely to reenter foster care about 2% in one

year and 7% over a four year period. (UC Berkeley, Center for Social Services Research)

- The decrease in the total foster youth population (100,000 in 2000 and 83,000 in 2005) can be attributed to approximately 15,000 children who exited the child welfare system to stay with relative guardians receiving Kin-GAP.
- There are 239 children in Probation supervised Kinship Care and 169 of those children have been in care for over a year. Government intervention in families can be more expeditiously accomplished by authorizing probation's children participation in the Kinship Guardianship Assistance Payment Program (Kin-GAP)

## SUPPORT

Chief Probation Officers of California  
California Catholic Conference of Bishops  
Children's Law Center of Los Angeles  
National Center of Youth Law  
Children's Advocacy Institute  
County of Los Angeles, Legislative Office  
California State Association of Counties  
American Federation of State, Municipal Employees

## OPPOSITION

None on file.

## FOR MORE INFORMATION

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